

compositions comprising a) a liquid vehicle, b) a colored pigment, and c) a dispersant having the formula: $D-N=N-AC$, wherein AC is an azo coupling component and D is a diazo component comprising at least one ionic group, at least one ionizable group, or a mixture of at least one ionic group or ionizable group.

Claims 1-36 are pending in the present application.

Rejection of Claims under 35 U.S.C. § 103

The Examiner has rejected claims 1-8 and 16-22 under 35 U.S.C. § 103(a) as being unpatentable over Platman et al. (U.S. Patent No. 5,246,494).

On page 2 of the Office Action, the Examiner states that Platman et al. teaches a mixed coupled azo pigment prepared from 30-70% of two or more diazonium components, at least one derived from a monoaryl amine, and an organic coupling component, said pigment containing one or more COOH or SO₃H groups or esters. The Examiner also states that the mixed coupled azo pigments are prepared by initially diazotizing a mixture of two or more aromatic amine compounds to form a mixture of diazonium salts and thereafter coupling the mixture of diazonium salts with a coupling component. The Examiner further states that the reference teaches that the aromatic amines may also contain one or two acid groups or the esters, amides, or salts thereof and that the mixtures comprising at least two diazonium components used in preparing the pigments may be prepared by diazotizing individual amines or by separately diazotizing individual amines and combining the resulting diazotized amines through methods known using nitrites together with an adequately strong acid. The Examiner adds that the coupling component may be any compound capable of coupling the diazonium components, such as pyrazolones.

The Examiner points out that Platman et al. fails to specifically exemplify the use of the azo coupler as claimed by Applicant. However, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to use the specific azo coupler as claimed by Applicant since Platman et al. also discloses the use of azo coupler but shows no example

incorporating them.

Applicant respectfully disagrees. Regarding claims 1-8 and 16-22, claim 1 recites a method of preparing an aqueous colored pigment dispersion comprising the step of combining, in any order, a) a colored pigment, b) an azo coupler, c) an aromatic amine, d) a diazotizing agent, and e) an aqueous medium. By comparison, the method of Platman et al. involves the combination of a mixture of diazonium salts (which can be prepared from an aromatic amine and a diazotizing agent) and a coupler. There is no teaching or suggestion of the addition of a colored pigment. Platman et al. describes a method of preparing mixed azo colored pigments that is essentially a variation of a conventional process for preparing colored pigments. This method differs significantly from the present invention, in which a colored pigment is also combined with the coupler, amine, and diazotizing agent (see paragraph [0015] of the present application).

Therefore, Applicant believes that claim 1 is patentable over Platman et al. since no addition of a colored pigment is taught or suggested in this reference. Claims 2-8 and 16-22, which depend either directly or indirectly from claim 1, recites further embodiments of the present invention and, for at least the reasons discussed above, are therefore also not anticipated by this reference.

Applicant therefore believes that claims 1-8 and 16-22 are patentable over Platman et al. and respectfully requests that this rejection be withdrawn.

Allowable Subject Matter

On page 3 of the Office Action, the Examiner states that claims 25-36 are allowed. Applicant is grateful for the allowable subject matter of claims 25-36.

Also on page 3 of the Office Action, the Examiner has objected to claims 9-15 and 23-24 as being dependent upon a rejected base claim. The Examiner further states that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

While Applicant is grateful for the allowable subject matter, as discussed in more detail above, Applicant does not believe that the base claim is properly rejected and therefore believes that no further amendments are needed to the cited claims at this time.

In addition, Applicant believes that claims 1-8 and 16-22 should also be allowable, in view of the comments provided herein.

Conclusions

Applicant believes that the present claims are in good and proper form for allowance. Therefore, the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would further expedite the prosecution of the subject application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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